

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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VIRGINIA IANNIELLO,

Plaintiff,

- against -

HARTFORD LIFE AND ACCIDENT INSURANCE
COMPANY; GROUP LONG TERM DISABILITY
PLAN FOR EMPLOYEES OF AMERICAN
INTERNATIONAL GROUP, INC.,

Defendants.
-----X

Civ. Act. No.:
10-CV-0370 (SJF) (ARL)

**DECLARATION OF
MICHAEL H. BERNSTEIN**

**DOCUMENT
ELECTRONICALLY FILED**

MICHAEL H. BERNSTEIN, being duly sworn, deposes and states:

1. I am a member of the firm of Sedgwick, Detert, Moran & Arnold LLP, attorneys for the defendants HARTFORD LIFE AND ACCIDENT INSURANCE COMPANY (“Hartford”) and Group Long Term Disability Plan for Employees of American International Group, Inc. (the “Plan”). As such, I am fully familiar with the facts and circumstances in this matter.

2. I submit this Declaration and the exhibits annexed hereto in support of the Defendants’ motion for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting summary judgment dismissing plaintiff Virginia Ianniello’s (“Ianniello”) complaint in its entirety, and for such other and further relief as this Court may deem just and proper.

3. Ianniello filed her Complaint in this Court on January 26, 2010, alleging a claim for long-term disability benefits and attorney’s fees under the Employee Retirement Income Security Act of 1974 (“ERISA”), 29 U.S.C. §1001, *et seq*, against Hartford and the Plan. A true and correct copy of Plaintiff’s Complaint is attached hereto as Exhibit “C.”

4. The Defendatns' timely filed their Answer on April 12, 2010. A true and correct copy of the Answer is attached hereto as Exhibit "D."

5. The accompanying Motion for Summary Judgment is timely filed in accordance with U.S. Magistrate Judge Lindsay's Scheduling Order dated August 2, 2010, which established that motions must be filed on or before November 1, 2010. A true and correct copy of the August 2, 2010 Scheduling Order is attached hereto as Exhibit "E."

Dated: New York, New York
November 1, 2010

I declare under penalty of perjury that the foregoing is
true and correct.

s/_____
MICHAEL H. BERNSTEIN

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached **DECLARATION OF MICHAEL H. BERNSTEIN** was served with exhibits via federal express on November 1, 2010 upon:

Robert J. Rosati, Esq.
The ERISA Law Group
2055 San Joaquin Street
Fresno, CA 93721

s/_____
MICHAEL H. BERNSTEIN (MB-0579)